

AKERMAN LLP

1160 TOWN CENTER DRIVE, SUITE 330
LAS VEGAS, NEVADA 89144
TEL.: (702) 634-5000 – FAX: (702) 380-8572

1 ARIEL E. STERN, ESQ.
Nevada Bar No. 8276
2 VATANA LAY, ESQ.
Nevada Bar No. 12993
3 AKERMAN LLP
1160 Town Center Drive, Suite 330
4 Las Vegas, NV 89144
Telephone: (702) 634-5000
5 Facsimile: (702) 380-8572
Email: ariel.stern@akerman.com
6 vatana.lay@akerman.com

7 *Attorneys for Plaintiff Federal National*
8 *Mortgage Association*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 FEDERAL NATIONAL MORTGAGE
13 ASSOCIATION;

Case No.: 2:16-cv-02829-JAD-PAL

14 vs.
15 Plaintiff,

**STIPULATION AND ORDER TO STAY
ALL LITIGATION DEADLINES FOR 90
DAYS**

16 WARM SPRINGS RESERVE OWNERS
17 ASSOCIATION; FERRELL STREET TRUST;
18 ALESSI & KOENIG, LLC;

(First Request)

19 **Defendants.**

20 Pursuant to Local Rule 6-2(a), plaintiff Federal National Mortgage Association (**Fannie**
21 **Mae**) and defendant Warm Spring Reserve Owners Association (**Warm Springs**) stipulate to extend
22 and stay the current litigation deadlines. As grounds therefore, the parties state as follows:

23 On December 29, 2016, Warm Springs moved to dismiss Fannie Mae's complaint on the
24 grounds the complaint failed to state a claim. (ECF No. 8.) Fannie Mae's deadline to file a
25 responsive pleading is January 12, 2017.

26 On December 13, 2016, defendant Alessi & Koenig, LLC (**Alessi**) filed a petition for
27 Chapter 7 Bankruptcy in the United States Bankruptcy Court, District of Nevada. *See* Bankruptcy
28 Petition No. 16-16593-abl.

The parties are working with the trustee of Alessi's bankruptcy case to determine how to
proceed on cases involving Alessi, including the instant case.

The parties stipulate to stay all litigation deadlines, including Fannie Mae's responsive

1 deadline to Warm Springs' motion to dismiss, for 90 days to allow for the bankruptcy trustee to
 2 provide direction on the prosecution of this case. Good cause exists to extend the litigation
 3 deadlines, including Fannie Mae's deadline to respond to Warm Springs' motion to dismiss.

4 Accordingly, the parties stipulate and request the court stay the outstanding litigation
 5 deadlines for 90 days, including extending Fannie Mae's deadline to respond to Warm Springs'
 6 motion to dismiss to April 18, 2017.

7 DATED January 9, 2017.

<p>8 AKERMAN LLP</p> <p>9</p> <p>10 <u>/s/ Vatana Lay</u> ARIEL E. STERN, ESQ. Nevada Bar No. 8276 VATANA LAY, ESQ. Nevada Bar No. 12993 1160 Town Center Drive, Suite 330 Las Vegas, Nevada 89144</p> <p>14 <i>Attorneys for Plaintiff Federal National Mortgage Association</i></p>	<p>8 LIPSON, NEILSON, COLE, SELTZER & GARIN, P.C.</p> <p>9</p> <p>10 <u>/s/ J. William Ebert</u> J. WILLIAM EBERT, ESQ. Nevada Bar No. 2697 JULIE A. FUNAI, ESQ. Nevada Bar No. 8725 9900 Covington Cross Drive, Suite 120 Las Vegas, Nevada 89144</p> <p>14 <i>Attorney for Defendant Warm Springs Reserve Owners Association</i></p>
---	---

17 **ORDER**

18 IT IS SO ORDERED:

20 
 21 UNITED STATES DISTRICT COURT JUDGE
 22 Dated: January 10 2017.

AKERMAN LLP
 1160 TOWN CENTER DRIVE, SUITE 330
 LAS VEGAS, NEVADA 89144
 TEL.: (702) 634-5000 – FAX: (702) 380-8572